

REMARKS

Claims 1-36 are pending and are unamended. Withdrawal of all objections and rejections are respectfully requested for at least the reasons set forth below.

Petition to Accept Color Drawings

A Petition to Accept Color Drawings was filed on July 11, 2000. Applicant has not received any communication regarding this petition. Please have the petition formally acted upon concurrently with review of this response.

A request to process this petition was made in the previous Response filed October 27, 2003 but no response has been received from that request.

Prior Art Rejections

Claims 1-36 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Verderamo et al. in view of ChargebackPrevention.com and further in view of Strategis.gc.ca.

1. Examiner Interview

Applicant wishes to thank Examiner Akers for extending the courtesy of a telephone interview in respect to this application on February 4, 2004 with Applicants' undersigned representative. During the interview, a previously faxed outline of issues were discussed. The issues focused on the prima facie inadequacy of the dates of the ChargebackPrevention.com and Strategis.gc.ca references. Specifically, no date was given for the ChargebackPrevention.com reference, and the date given for the Strategis.gc.ca references was the date that the company was started, and was not a date associated with the underlying technical information being relied upon for the rejection. Applicants' undersigned representative requested that the Examiner withdraw the rejection *sua sponte*, or provide prima facie evidence to support a date prior to the filing date of the patent application before Applicant makes a formal response to the outstanding Office Action. The Examiner declined to agree to either of these options, and instead requested

that Applicant file a formal response highlighting the alleged deficiencies in the reference dates. The Examiner also requested that Applicant briefly summarize the present invention for assistance by the Examiner during the follow-up examination.

Applicant believes that it is procedurally improper to require that a formal response be made to a ground of rejection that is based on reference(s) which lack prima facie evidence of a date preceding the application filing date. However, in the interest in expediting prosecution of the present invention, Applicant submits this formal response.

2. Response to rejection

Applicant requests withdrawal of the outstanding prior art rejection because there is no prima facie evidence that the dates of the ChargebackPrevention.com reference and the technical details of the Strategis.gc.ca reference predate the application filing date. Applicant therefore declines at this point in time to make a substantive response to the prior art rejection.

Explanation of Present Invention

Pursuant to the Examiner's request, the following explanation of exemplary claim 1 (excerpted from the Summary of the Invention section of the patent application) is provided:

A first embodiment of the present invention provides a computer-implemented scheme for preparing bank service charge reports for banking activity of a client. In the scheme, an electronic translator is provided that converts service charge items of a plurality of individual banks, expressed in terminology of the respective individual banks, to a service description expressed in a standardized terminology. At least some of the service charge items of different banks have the same standardized service description. Bank service charge items and bank account data are inputted into a computer. The bank service charge items and bank account data are for a specified period of time for one or more banks being used by a client. The bank service charge items and bank account data are obtained from one or more bank statements of a client and are expressed in the one or more statements in terminology used by the one or more banks. In the computer, one or more bank service charge reports are automatically created for the client from the inputted bank service charge items by using the electronic translator. Each bank service

charge report provides a breakdown of bank service charges based upon the standardized service descriptions. (underlining added for emphasis)

The Background of the Invention explains the problems in the art addressed by the electronic translator and a method and system that employs the translator:

Over the last few decades, banks and other financial institutions, hereafter collectively referred to as "banks," have begun charging their clients for the services performed. These charges include, but are not limited to: deposit ticket charges, night bag deposits, electronic transmittal of information, returned check charges and postage. Banks no longer rely to the same extent as they have in the past on the income generated from loans. Bank officers have even attended seminars strictly targeted to increasing revenue through service charges. Even if the evolution of service charge revenue was unintentional, it has become a lucrative opportunity for many banks.

Clients often receive cryptic monthly statements as to what charges they are actually paying for. Consider a scenario wherein supermarket aisles did not indicate the price of the food on the shelves. In addition, suppose the receipt did not include a detail of the food that was purchased or the price of each item. Instead, only a total due during that shopping trip was provided. Or, if the detail was included, it was not listed in readily understood terms, but only in the UPC Barcodes of the product. It would not be easy to comparison shop, or to determine better ways to shop, such as buying larger sizes of items you may use frequently. This scenario is analogous to the way service charges are presently handled between banks and their clients. Furthermore, the bank often deducts service charges from the earnings credit (Interest) posted to the clients' accounts. To continue the supermarket analogy, imagine if the receipt didn't tell you how much you actually spent that day, just a running total against some prepaid balance you may have on account with the supermarket. Banks may not have intentionally created these problems. However, these problems prevent clients from understanding and managing their charges effectively.

These analogies illustrate how many large businesses (clients) currently interact with their banks. Coupled with the fact that charges imposed are not listed in layman's terms on the bank analysis, it has become extremely difficult for a client to control these charges. This weakens the client's financial and bargaining position and gives little leverage when negotiating with the client's bank. It also inhibits the client from attaining the highest possible earnings credit.

Many clients have numerous locations (stores) throughout the country who use the same bank. The statements issued by the bank offer little help in determining charges per store, and do not provide the client's financial managers with the essential data required to make appropriate fiscal decisions.

An additional problem for clients is that each bank uses its own set of terms to define its service charges and credits, thereby making it difficult or impossible for a client to comparison shop among banks for the best deal on service charges and credits.

Accordingly, there is an unmet need for analysis tools to allow a client to more fully understand bank service charges and credits. The present invention fulfills such a need.

Conclusion

Insofar as the Examiner's rejections were fully addressed, the instant application is in condition for allowance. Issuance of a Notice of Allowability of all pending claims is therefore earnestly solicited.

Respectfully submitted,

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February 13, 2004 By: Clark Jablon
(Date)

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